

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE: NEW ENGLAND COMPOUNDING)
PHARMACY, INC., PRODUCTS LIABILITY)
LITIGATION)
) MDL No.: 2419
) Master Docket No.: 1:13-md-2419-FDS
)
THIS DOCUMENT RELATES TO:)
)
All Tennessee Actions against)
St. Thomas Entities.)

DECLARATION OF BENJAMIN A. GASTEL

Benjamin A. Gastel declares, under penalty of perjury on the date identified below, as follows:

1. I am an attorney at Branstetter, Stranch, and Jennings, PLLC, and our firm sits on the Plaintiffs' Steering Committee "(PSC") in the above-styled lawsuit (the "MDL"). I make this declaration in support of the contemporaneously filed Plaintiffs' Steering Committee's Motion to Compel Production of Insurance Agreements (the "Motion").

2. A true and correct copy of a letter sent by me on August 21, 2014 to counsel for Saint Thomas Health, Saint Thomas Hospital, and Saint Thomas Network (collectively the "Saint Thomas Entities") is attached as Exhibit 1.

3. A true and correct copy of an email I received from counsel for the Saint Thomas Entities is attached as Exhibit 2.


4. True and correct copies of a redacted version of the Certificates of Coverage are attached as Exhibit 3. Counsel for the Saint Thomas Entities originally sent unredacted versions of these documents on August 28, 2014. The Saint Thomas Entities' counsel previously indicated these documents were to be treated as confidential under the Court's Third Amended

Protective Order. Accordingly, prior to filing these documents with this Court, I met and conferred with counsel for the Saint Thomas Entities to redact these documents so that they could be filed without the need to be filed under seal. On September 26, 2014, I received the redacted versions of these documents that are attached as Exhibit 3.

5. A true and correct copy of a document I located on the Missouri Department of Insurance's website is attached as Exhibit 4. I accessed this document on a number of occasions, most recently on September 30, 2014.

6. A true and correct copy of an email I received from counsel for the Saint Thomas Entities is attached hereto as Exhibit 5.

Executed on this 3rd day of October, 2014, in Nashville, Tennessee.


Benjamin A. Gastel